

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of Citizens  
Telecommunications Company of California, Inc.  
(U 1024 C), dba, Frontier Communications of  
California, to Establish Price Floors For Local  
Measured Usage, Extended Area Service and  
Zone Usage Measurement.

Application 05-01-020  
(Filed January 20, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING  
SETTING PREHEARING CONFERENCE AND REQUIRING PARTIES TO  
MEET AND CONFER AND FILE PREHEARING CONFERENCE STATEMENTS**

**Background**

Citizens Telecommunications Company of California dba Frontier Communications (Frontier) filed this application seeking Commission approval of permanent cost floors for the following services:

1. Local Measured Service (LMS)
2. Extended Area Service (EAS)
3. Zone Usage Measurement (ZUM)

Frontier stated that pursuant to Decision (D.) 94-09-065 (the IRD decision) Frontier must have in place a Commission-approved price floor prior to exercising pricing flexibility for any Category II service. Frontier does not currently have a price floor for these three services. Frontier also stated that it is experiencing increased competition from other local exchange service providers, particularly in its Elk Grove market, and that cost floors are necessary to enable it to meet this competition.

On February 28, 2005, SureWest Televideo dba SureWest Broadband (SureWest) protested Frontier's application. SureWest urged the Commission to undertake a thorough review of Frontier's proposed cost floors. SureWest also pointed out that Frontier's currently pending Advice Letter 902 proposes to use the price floors at issue in this application on an interim basis. SureWest recommended consolidating this application with Advice Letter 902.

### **Identification of Issues Prior to Prehearing Conference**

Understanding the number and nature of the disputed issues will better enable us to set a useful schedule for this proceeding. Accordingly, prior to the prehearing conference, the parties shall work cooperatively to fully articulate any disputed issues of material fact and legal or policy issues requiring resolution in this proceeding.

The parties shall meet and confer regarding Frontier's proposal, including the cost study methodology, the basis for all assumptions, historical and forecast cost data, and all other significant components of the proposal. Frontier shall explain to SureWest the basis all components, and provide expeditious responses to any relevant follow-up discovery requests. SureWest shall explain its position on any disputed issues, and provide any requested additional detail. The parties shall jointly prepare a statement of disputed factual and legal/policy issues, which shall include a brief summary of each party's position on each disputed issue. The joint statement of disputed issues shall include a proposed procedural schedule, and be filed and served with the prehearing conference statements.

No later than May 17, 2005, Frontier and SureWest shall file and serve prehearing conference statements that describe any proposed expert witnesses, and state whether the party believes that some form of alternative dispute

resolution might be effective for this proceeding. Frontier shall also respond to SureWest's request to consolidate Advice Letter 902 with this proceeding.

**Prehearing Conference**

A prehearing conference shall be held:

**Thursday, May 19, 2005  
10:00 am  
Commission Hearing Rooms  
505 Van Ness Avenue  
San Francisco, CA**

**IT IS SO RULED.**

Dated April 7, 2005, at San Francisco, California.

/s/ MARIBETH A. BUSHEY

Maribeth A. Bushey  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have this day served the attached Administrative Law Judge's Ruling Setting Prehearing Conference and Requiring Parties to Meet and Confer and File Prehearing Conference Statements on all parties of record in this proceeding or their attorneys of record by electronic mail to those who provided electronic mail addresses, and by U.S. mail to those who did not provide e-mail addresses.

Dated April 7, 2005, at San Francisco, California.

/s/ ELIZABETH LEWIS  
Elizabeth Lewis

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.